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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ANDREW OKUSKO, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

DYNAMIC LEDGER SOLUTIONS, INC.,
THE TEZOS FOUNDATION, KATHLEEN
BREITMAN, ARTHUR BREITMAN, and
TIMOTHY DRAPER,

Defendants.

Case No. 3:17-cv-06829-RS

**JOINT STIPULATION AND
~~PROPOSED~~ ORDER EXTENDING
TIME FOR DYNAMIC LEDGER
SOLUTIONS, KATHLEEN
BREITMAN AND ARTHUR
BREITMAN TO RESPOND TO
COMPLAINT AND MOTION FOR
PRELIMINARY INJUNCTION**

1 Defendant Dynamic Ledger Solutions, Inc. (“DLS”), Defendants Kathleen Breitman, and
 2 Arthur Breitman (together, the “Breitman Defendants”), and plaintiff Andrew Okusko (“Okusko”)
 3 (collectively, the “Appearing Parties”) stipulate pursuant to Civil L. R. 6-1(a) and 6-1(b) to extend the
 4 time for DLS and the Breitman Defendants to respond to the putative class action complaint (the
 5 “Okusko Complaint”) (Dkt. No. 1) filed in the above-captioned action (the “Instant Action”) and to
 6 the Motion for Preliminary Injunction (Dkt. No. 9) as follows:

7 WHEREAS, on November 28, 2017, Okusko filed the Okusko Complaint alleging violations
 8 of the Securities Act;

9 WHEREAS, Securities Act claims brought as class actions pursuant to the Federal Rules of
 10 Civil Procedure may be subject to the lead plaintiff provisions of the Private Securities Litigation
 11 Reform Act (“PSLRA”). *See* 15 U.S.C. § 77z-1;

12 WHEREAS, on December 1, 2017, Okusko served Defendant DLS with the Summons and
 13 Complaint in the Instant Action;

14 WHEREAS, on December 4, 2017, Okusko filed a Motion for Preliminary Injunction against
 15 DLS, the Breitman Defendants, and the Tezos Foundation;

16 WHEREAS, the Breitman Defendants had not been served with the Complaint at the time the
 17 Motion for Preliminary Injunction was filed;

18 WHEREAS, the Breitman Defendants have agreed to waive service as of the date of this
 19 Stipulation;

20 WHEREAS, the Appearing Parties have met and conferred and agree that DLS and the
 21 Breitman Defendants should respond to the Motion for Preliminary Injunction on the same schedule,
 22 and have thus agreed that the Appearing Parties’ deadline for the filing of an opposition to Okusko’s
 23 pending Motion for Preliminary Injunction should be extended until December 29, 2017, and the
 24 deadline for Okusko’s reply should be extended to January 5, 2018;

25 WHEREAS, the Appearing Parties request that the Motion for Preliminary Injunction be heard
 26 on January 11, 2018, as originally noticed;

27 WHEREAS, DLS and the Breitman Defendants agree not to raise this extension of time as a
 28 defense to Okusko’s pending Motion for Preliminary Injunction, and Okusko agrees not raise it as a

1 rebuttal to any arguments raised or as a reason to grant the proposed Preliminary Injunction;

2 WHEREAS, these extensions will not alter the date of any event or any deadline already fixed
3 by order of this Court; and

4 WHEREAS, there have not been any previous time modifications in this case.

5 NOW, THEREFORE, the Appearing Parties, hereby stipulate as follows:

- 6 1. DLS and the Breitman Defendants shall not be required to move to dismiss or otherwise
7 respond to the Okusko Complaint filed in the Instant Action until 30 days after the
8 Court appoints a lead plaintiff and lead counsel, and lead plaintiff files and serves a
9 consolidated complaint or a notice stating that lead plaintiff designates a previously
10 filed complaint as operative. Pursuant to Civil L. R. 6-1(a), this paragraph shall be
11 effective upon the filing of this Stipulation with the Court.
- 12 2. DLS and the Breitman Defendants' opposition to Okusko's Motion for Preliminary
13 Injunction will be due on December 29, 2017.
- 14 3. Okusko's reply brief will be due on January 5, 2018.
- 15 4. The hearing on the Motion for Motion for Preliminary Injunction shall be heard on
16 January 11, 2018, as originally noticed.

17 **IT IS SO STIPULATED.**
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1 Dated: December 14, 2017

2 **LEVI & KORSINSKY, LLP**

BAKER MARQUART LLP

3
4 /s/ Rosemary M. Rivas

5 Rosemary M. Rivas (209147)

/s/ Brian E. Klein

Brian E. Klein (258486)

6
7 Attorneys for Plaintiff ANDREW OKUSKO

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a Delaware Corporation, KATHLEEN
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8
9 **COOLEY LLP**

10
11 /s/ Patrick E. Gibbs

12 Patrick E. Gibbs (183174)

13 Attorneys for Defendant
DYNAMIC LEDGER SOLUTIONS, INC.,
a Delaware Corporation

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16 **FILER'S ATTESTATION**

17 Pursuant to Civil Local Rule 5-1(i)(3), regarding signatures, Patrick E. Gibbs hereby attests
18 that concurrence in the filing of this document has been obtained from all the signatories above.

19 Dated: December 14, 2017

COOLEY LLP

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21 /s/ Patrick E. Gibbs

22 Patrick E. Gibbs

PROPOSED ORDER

Based on the Stipulation submitted by the parties, and good cause being shown therefore, the court hereby GRANTS the Appearing Parties' Stipulation. The Court hereby orders as follows:

1. DLS and the Breitman Defendants shall not be required to move to dismiss or otherwise respond to the Okusko Complaint filed in the Instant Action until 30 days after the Court appoints a lead plaintiff and lead counsel, and lead plaintiff files and serves a consolidated complaint or a notice stating that lead plaintiff designates a previously filed complaint as operative. Pursuant to Civil L. R. 6-1(a), this paragraph shall be effective upon the filing of this Stipulation with the Court.
2. DLS and the Breitman Defendants' opposition to Okusko's Motion for Preliminary Injunction shall be due on December 29, 2017.
3. Okusko's reply brief shall be due on January 5, 2018.
4. The hearing on the Motion for Motion for Preliminary Injunction shall be heard on January 11, 2018, as originally noticed.

IT IS SO ORDERED.

Dated: December 15, 2017



Hon. Richard Seeborg
United States District Court Judge